

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BARCADE, LLC,

Plaintiff,

v.

DORKY'S, INC.,

Defendant.

Case No.: 3:11-cv-05949-RJB

ORDER ON MOTION FOR ENTRY OF
JUDGMENT BY DEFAULT AGAINST
DEFENDANT DORKY'S, INC.
PURSUANT TO FRCP AND LOCAL
RULE 55(b)

Having considered the Motion for Entry of Judgment by Default filed by plaintiff Barcade, LLC ("Barcade"), and its supporting materials, and for good cause shown, it is hereby ORDERED that Barcade's Motion is GRANTED. It is further ORDERED that judgment is entered in favor of Barcade and against defendant Dorky's, Inc. ("Dorky's") and that Dorky's, its officers, directors, agents, employees and all persons in active concert or participation with it who receives actual notice of the injunction, by personal service or otherwise, is preliminarily and permanently enjoined and restrained from doing, abiding, causing or abetting any of the following:

- (a) engaging in any acts or activities directly or indirectly calculated to infringe Barcade's BARCADE® Marks;

- 1 (b) infringing or contributing to the infringement;
- 2 (c) using in selling, offering for sale, promoting, advertising, marketing or
- 3 distributing of Dorky's products or services, signage, advertisements or marketing materials
- 4 that use the term BARCADE;
- 5 (d) using any configuration or design that is confusingly similar to Barcade's
- 6 BARCADE® Marks; and
- 7 (e) otherwise competing unfairly with Barcade in any manner whatsoever.

8 It is further ORDERED that Dorky's deliver up to Barcade for destruction, at Dorky's

9 expense, any and all catalogs, web site materials, literature, brochures, packaging, signs,

10 promotional materials, advertisements and other communications to the public in the

11 possession or under the control of Dorky's, and any other material or any representations that

12 are or may contain designations similar to Barcade's BARCADE® Marks.

13 DATED this 17th day of January, 2012.

14 

15 ROBERT J. BRYAN

16 United States District Judge

17 Presented by:

18 COZEN O'CONNOR

19 /s/ Rodney Q. Fonda

20 Rodney Q. Fonda, WSBA No. 6594

21 Camille M. Miller, *Member of Pennsylvania and*

22 *Illinois Bars (Not Admitted in Washington)*

23 David M. Albert, *Member of Pennsylvania and*

24 *New York Bars (Not Admitted in Washington)*

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ORDER ON MOTION FOR ENTRY OF JUDGMENT BY DEFAULT
AGAINST DEFENDANT DORKY'S, INC. PURSUANT TO FEDERAL
RULE 55(b)- 2

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